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I express the hope that this Act will not be put into force and there will be no occasion for it. The members of the Government who are popular Ministers and also members of this House and the Lower House and who are leaders of public opinion and also other leaders of communities and political parties must make a very serious endeavour, now that we are passing this Act into law to see that this Act is not put into effect.''

SRI B. NARAYANASWAMI NAYUDU :—'' A very arbitrary power, an atomic bomb, has been placed in the hands of the Government and I believe the Hon. Mr. Madhava Menon will communicate to the Home Minister my request that he will not make use of the provisions of this Bill until he is compelled to make use of them. The pity of the whole thing is that the trouble is not with regard the Home front. The atomic bombs can work there. But they do not go beyond the threshold of provincial borders, viz., the foreign Government.''

* THE HON. SRI K. MADHAVA MENON :—'' We shall certainly bear in mind the suggestion that has been made. But I do not want to be misquoted. I did not say that after the 15th August there has been a complete metamorphosis in the attitude of the police. What I said was that we cannot treat the policement as mercenaries after the 15th of August, and there must be a change also in our attitude towards them. They have a stake in the country such as any one of us. That is what I pleaded and still plead for. I entirely agree with Dr. John and Mr. Narayanaswami Nayudu that there may not be any occasion to use it. Dr. Subbarayan told in the other House also, words to this effect. I move that the Bill be passed into law.''

The motion was put and carried. The Bill was passed into **law.**

(2) THE MADRAS AIDED INSTITUTIONS (PROHIBITION OF TRANSFERS OF PROPERTY) BILL, 1948 (L.A. BILL NO. 1 OF 1948).

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—'' I move—

> '*that under rule* 15 (3) *of the Council Rules, the order of business be revised and the motion standing in my name in connection with the Madras Aided Institutions (Prohibition of Transfers of Property) Bill*, 1948 (*L.A. Bill No.* 1 *of* 1948) *be taken into consideration.*' ''

The motion was put and carried.

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—'' After the excitement which the previous Bill recently afforded, this will be a tame measure. All the same, this is a very important Bill because it affects the future status of the educational institutions as well as the future policy of Government with regard to the capital grants. This is a very small Bill and it may be summarised in a few words. Members of this House would have

seen the details of the report published in the Press. I do not think it is necessary for me to go through the whole length of the Bill but I want to put it in a very brief manner."

DR. V. K. JOHN :—" We do not take note of press reports."

* THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—" I shall summarise in short the provisions of the Bill. Now, the capital grants to educational institutions are governed by rule 56 of the Grant-in-Aid Code. According to that Code, Sir, if the grant is less than Rs. 15,000, the mortgage is for 30 years; if it is less than one lakh, the mortgage is for 50 years; and if the grant is over a lakh of rupees, it is for 99 years. After the number of years, it is open for those institutions to sell them and mortgage them and to do whatever they like. If they wanted to do that before period, a proportionate part of the grant is to be returned to the Government.

4-15 p.m. " This has worked in a curious manner. Land prices have gone up phenominally high and cases have come to our notice of certain institutions having sold away property and as a result they have been able to get 30 times what they have to pay to Government. This is not a very desirable state of affairs and hon. Members would agree that it should not be allowed in future.

" Till now we advanced payment for capital grants from the current revenues of the province. The suggestion has been made that it should not be made out of revenue account but that it should be found from loans and we have to make sure that the moneys that we pay out of loans is secure for the benefit of posterity and if that is to be done, a Bill on these lines which prohibits alienations is necessary. The matter has been put to the Auditor-General and he has said that unless provision is made by which Government secure an interest in the property, the Government would not be in a position to sanction loans; it is his duty to see that the purpose of the loan is kept in view and utilized for the purposes for which they borrow.

" This is a simple Bill and since it affects a large amount of property and a good many of educational institutions, Government thought that it is advisable to refer the Bill to a Joint Select Committee of both the Houses. I move—

' *That this House concurs in setting up a Joint Select Committee of the two House consisting of 12 members (8 from the Assembly and 4 from the Council) to consider the Madras Aided Institutions (Prohibition of Transfer of Property) Bill, 1948 and that the following members of this House be nominated to the said Joint Select Committee :—*

The Hon. Sri K. Madhava Menon,

Dr. Sir A. Lakshmanaswami Mudaliyar,

Mrs. Mona Hensman, and

Mr. K. Uppi Sahib.'

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I beg also to add that a penal provision has been inserted to be enforced against people who refuse to hand over property. I hope the House will adopt the motion."

* DR. V. K. JOHN :—" The Hon. Minister has been very nice in nominating three members from this side of the House, members who are quite competent and would be of great help in the Select Committee."

SRI N. RANGA REDDI :—" Mr. Deputy President, I am very glad that a Bill of this sort has been brought before the House. I am sorry that the principle enunciated has not been extended to local bodies. From the year 1942, I know a number of institutions have alienated their property for nominal sums and they are being enjoyed by payment of nominal sums. These cases also should be brought under the scope of the Bill."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—" Regarding properties of local bodies, I fear it may not apply. To begin with, the Bill has been drafted so as to cover educational institutions and may be extended so as to cover medical and other institutions for which capital grants are made by Government."

The motion was put and carried.

(3) THE MADRAS RE-ENACTING AND REPEALING BILLS (NOS. I AND II), 1948 (L.A. BILL NOS. 3 AND 6 OF 1948).

* THE HON SRI K. MADHAVA MENON :—" I move—

'*that this House concurs in setting up a Joint Select Committee of the two Houses consisting of* 18 *members* (12 *members from the Assembly and* 6 *members from the Council*) *to consider the Madras Re-enacting and Repealing* (*No. I*) *Bill*, 1948, *and that the following members of this House be nominated to the said Joint Select Committee.*'

" There is another motion standing in the Home Minister's name (item 5 in the agenda) and I beg that I may also be permitted to make the motion. The idea of the Home Minister was that the Joint Select Committee for both the Bills may be the same.

" I move that this House concurs in setting up a Joint Select Committee of the two Houses consisting of 18 members (12 members from the Assembly and 6 from the Council) to consider the Madras Re-enacting and Repealing (No. II Bill), 1948 and that the following members of this House be nominated to the said Joint Select Committee.

" You remember that during the Advisers' regime, there were no legislatures and the Governor was exercising the powers of legislation under section 93 of the Government of India Act and he passed various acts and they will cease to have any force after two years after the closing of the section 93 regime. Such of those bills as require to be re-enacted have to re-enacted, those to